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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,851	02/15/2001	Frank Kelly	PD-200325	2636

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Hughes Electronics Corporation
Patent Docket Administration
Bldg. 1
P.O. Box 956, Mail Stop A109
El Segundo, CA 90245-0956

EXAMINER

MEW, KEVIN D

ART UNIT	PAPER NUMBER
2664	

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/783,851

Applicant(s)

KELLY ET AL.

Examiner

Kevin Mew

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3, 4.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

Detailed Action

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

In particular, the abstract page should not include the title of the patent application. In addition, the abstract content should not repeat the title of the application, which is "performing auto-commissioning over a two-way satellite system" and should avoid using the phrase "disclosed" in line 2, which can be implied.

Claim Objections

2. Claims 1, 6, 13, 15, 20, 22, 27 are objected to because of the following informalities:

In claim 1, lines 1 and 3, replace "a user" with "an user"

In claims 6, 13, 20, 27, line 2, the limitation "satellite longitude" is repeated twice in line 2 of each of the claims.

In claim 15, line 3, replace "a user" with "an user"

In claim 15, line 12, replace "the user terminal" with "an user terminal"

In claim 22, lines 2 and 7, replace "a user" with "an user"

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-4, 8-11, 15-18, 22-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art, Adiwoso et al. (USP 5,963,862) in view of the admitted prior, Dixon (USP 6,023,242), and in further view of Grooters (USP 6,684,399).

Regarding claims 1, 8, 15, 22, Adiwoso discloses a system to perform a method for automatically commissioning a user terminal to exchange traffic over a two-way satellite communication system (integrated telecommunications system that provides two-way user links to user terminals, see lines 41-44, col. 2 and Fig. 1), the method comprising:

means for establishing a channel over the beacon satellite to a hub (satellite 12 provides single or multi-beam access link that connect with the gateway stations 30, see lines 38-39, col. 4 and Fig. 1);

means for collecting user information to the hub (gateway 30a is coupled to a subscriber database that stores user information, see lines 50-52, col. 4 and Fig. 1; note that gateway 30a and NCC 500 together is considered as a hub);

means for receiving network configuration parameters (NCC allocates bandwidth and power to the user link in order to enable communications between the gateway and the user, see lines 32-34, col. 10) and antenna pointing parameters downloaded from the hub;

Adiwozo does not explicitly disclose receiving location information associated with an antenna; instructing a user to point the antenna to a beacon satellite using predefined pointing values based upon the location information; selectively instructing the user to re-point the antenna based upon the downloaded antenna pointing parameters; and configuring the user terminal based upon the downloaded network configuration parameters.

However, Dixon discloses an earth based communications device comprising a processing unit (see element 203, fig. 3) with computer instructions to allow an antenna capable of:

storing satellite position data and obtaining position data of said earth based communications device;

obtaining an azimuth and elevation of said antenna; utilizing said satellite position data to calculate a position data of said satellite in relation to said location position;

in response to said obtained azimuth and elevation data, determining a direction in which to configure an antenna for operation with said satellite; and

configuring said antenna for operation in said direction (see lines 21-35, col. 2).

Therefore, it would have been obvious to one person of ordinary skill in the art at the time the invention was made to combine the two-way satellite telecommunications system of Adiwozo with the earth based communication device of Dixon such that the system will instruct a user to point the antenna to a beacon satellite using predefined pointing values based upon the location information; selectively instructing the user to re-point the antenna based upon the downloaded antenna pointing parameters; and

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configuring the user terminal based upon the downloaded network configuration parameters such as the earth based communication device taught by Dixon. The motivation is do so is to facilitate a higher bandwidth in a diverse range of locations by establishing a communication link through configuration of a substantially narrow beam because many applications such as video images and large text files demand higher data transmission rate than conventional telephone conversations.

Adiwozo does not explicitly disclose the channel established between the satellite and the gateway is a temporary channel.

However, Grooters discloses a satellite communications system in which a temporary channel is created in program guide to provide live or scheduled multimedia content in a node of a worldwide network (see lines 34-37, col. 7).

Therefore, it would have been obvious to one person of ordinary skill in the art at the time the invention was made to combine the two-way satellite telecommunications system of Adiwozo with the temporary channel creation of the satellite system in Grooters such that a temporary channel is created over the satellite to the gateway in Adiwozo such as the temporary channel taught by Grooters. The motivation is do so is to dynamically create a temporary channel for communications for live broadcast events because creating flexible and temporary channel to provide temporary programming time only when necessary rather than establishing fixed and long static channels will save more resources and be cost effective.

Regarding claims 2, 9, 16, 23, Adiwoso, Dixon, and Grooters disclose all the aspects of the claimed invention set forth in the rejection of claim 1 above. Adiwoso further discloses the method according to claims 1, 8, 15, 22, wherein the beacon satellite in the establishing step has a designated default transponder to support the temporary channel (each transponder is capable of being allocated to an uplink beam and a downlink beam, see lines 27-31, col. 4 and lines 21-45, col. 9).

Regarding claims 3, 10, 17, 24, Adiwoso, Dixon, and Grooters disclose all the aspects of the claimed invention set forth in the rejection of claim 1 above. Adiwoso further discloses the method according to claims 1, 8, 15, 22, wherein the hub in the establishing step has connectivity to a packet switched network (Internet Access Point IAP is connected to gateway 30a, see lines 4-7, col. 5 and elements 30a, 37, Fig. 1).

Regarding claims 4, 11, 18, 25, Adiwoso, Dixon, and Grooters disclose all the aspects of the claimed invention set forth in the rejection of claims 4, 10, 17, 24 above. Adiwoso further discloses the method according to claim 3, wherein the packet switched network is an IP (Internet Protocol) network (Internet is a IP protocol network, see lines 407, col. 5).

Adiwoso does not explicitly disclose the temporary channel supporting TCP/IP (Transmission Control Protocol/Internet Protocol).

However, Grooters discloses a satellite communications system in which a temporary channel is created in program guide to provide live or scheduled multimedia content in a node of a worldwide network (see lines 34-37, col. 7). Adiwoso also

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discloses that gateway 30a is connected to the Internet via the Internet Access Point 37 (see Fig. 1). It is also well known in the art teaching that the Internet supports TCP/IP protocol.

Therefore, it would have been obvious to one person of ordinary skill in the art at the time the invention was made to combine the two-way satellite telecommunications system of Adiwoso with the temporary channel creation of the satellite system in Grooters such that a temporary channel is created over the satellite to the gateway in Adiwoso to support TCP/IP protocol such as the temporary channel taught by Grooters. The motivation is do so is to allow Internet traffic to be communicated through the temporary channel between user terminals and destination web sites via the satellite for multimedia broadcast contents broadcast through the Internet.

4. **Claims 5, 12, 19, 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art, Adiwoso et al. (USP 5,963,862) in view of Dixon (USP 6,023,242), and Grooters (USP 6,684,399), and in further view of Haugli et al. (USP 6,522,638).

Regarding claims 5, 12, 19, 26, Adiwoso, Dixon, and Grooters disclose all the aspects of the claimed invention set forth in the rejection of claims 1, 8, 15, 22 above, except fail to disclose the method according to claim 1, wherein the network configuration parameters in the receiving step include IP address of the user terminal, and an IP address of a domain name server.

However, Haugli discloses a satellite network is used to allow a user at a mobile terminal to browse information on the Web via the Packet Processing and Network

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Operations Centre (see elements 11, 13, 14, Fig. 1) where the IP address of the DNS server is obtained (see lines 40-50, col. 5). Although the Haugli does not explicitly disclose obtaining IP address of the mobile terminal, it is well known in the art teaching that the IP address of mobile terminal will also be collected in order for the mobile terminal and the DNS server to be communicated using the IP protocol. Therefore, it would have been obvious to one person of ordinary skill in the art at the time the invention was made to modify the two-way satellite telecommunications system of Adiwoso such that the IP address of the mobile terminal and IP address of the DNS server will be received. The motivation is do so is to allow mobile terminals to communicate with web sites on the Internet because the mobile terminal needs to identify the corresponding DNS server in order to request the DNS server to map hostnames to IP addresses.

5. **Claims 6-7, 13-14, 20-21, 27-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art, Adiwoso et al. (USP 5,963,862) in view of Dixon (USP 6,023,242), and Grooters (USP 6,684,399), and in further view of Pond (USP 5,860,056).

Regarding claims 6, 13, 20, 27, Adiwoso, Dixon, and Grooters disclose all the aspects of the claimed invention set forth in the rejection of claims 1, 8, 15, 22 above, except fail to explicitly disclose the method according to claim 1, wherein the antenna pointing parameters in the receiving step include satellite longitude (East or West), satellite polarization, satellite polarization offset, and satellite frequency.

However, Pond discloses a satellite system in which the antenna parameters comprise frequency of the satellite, the position of the satellite in specified in longitude, the polarity of the satellite and the polarization offset (see lines 42-44, col. 2, lines 31-41, col. 12, and lines 49-50, col. 4).

Therefore, it would have been obvious to one person of ordinary skill in the art at the time the invention was made to modify the two-way satellite telecommunications system of Adiwoso such that the IP address of the mobile terminal and IP address of the DNS server will be received. The motivation is do so is to automatically gather, transfer, update, store, and utilize these satellite update information in satellite receivers in order to position the ground station antenna so that end users can receive all desired satellite radio signals.

Regarding claims 7, 14, 21, 28, Adiwoso, Dixon, Grooters, and Pond disclose all the aspects of the claimed invention set forth in the rejection of claims 6, 13, 20, 27 above. Adiwoso further discloses the method according to claim 6, wherein the user information in the collecting step include billing information (billing information, see lines 54-55, col. 4), account information (account information, see lines 62-67, col. 9 and lines 1-3, col. 10), and service plan selection information (see lines 39-50, col. 3 and lines 50-64, col. 12).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure with respect to system and method for performing auto-commissioning in a two-way satellite system.

US Patent 6,591,247 to Stern

US Patent 6,643,707 to Booth

US Patent 5,539,451 to Carey et al.

US Publication 2003/0112772 to Chatterjee et al.


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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Mew whose telephone number is 703-305-5300.

The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 703-305-4366. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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